

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

JACQUELINE FLEMING,

Plaintiff,

-vs-

02-CV-934C(SC)

DEACONESS HOSPITAL,

Defendant.

The above-referenced case was referred to Magistrate Judge H. Kenneth Schroeder pursuant to Title 28 U.S.C. § 636(b)(1)(B). On March 10, 2006, Magistrate Judge Schroeder filed a Report and Recommendation recommending that the defendant's motion for summary judgment be granted.

Plaintiff previously made three motions for an extension of time in which to file objections to the Report and Recommendation. Each was granted by this court. Following the third motion, in an order filed June 9, 2006, the court advised plaintiff's counsel that it would entertain no further motions for an extension of time, and that if counsel was unable to file objections by August 31, 2006, he was to engage substitute counsel to file the objections. No objections were filed on or before that date, but on September 1, 2006, plaintiff made a fourth motion for an extension of time in which to file objections. The motion for an extension of time is denied.

The court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Schroeder's Report and Recommendation, the motion of defendant for summary judgment is granted, and the case is dismissed.

So ordered.

_____\s\ John T. Curtin_____
JOHN T. CURTIN
United States District Judge

Dated: September 27 , 2006
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